



City Council Chambers
3300 Capitol Avenue
Fremont, California

City Council

Bob Wasserman, Mayor
Suzanne Lee Chan, Vice Mayor
Anu Natarajan
Bill Harrison
Dominic Dutra

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Mark Danaj, Assistant City Manager

Dawn G. Abrahamson, City Clerk
Robert Beyer, Interim Community Dev. Director
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Mary Kaye Fisher, Interim Human Resources Dir.
Norm Hughes, City Engineer
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Lori Taylor, Economic Development Director
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

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Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

AGENDA
FREMONT CITY COUNCIL REGULAR MEETING
FEBRUARY 8, 2011
COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A
7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 *Motion to Waive Further Reading of Proposed Ordinances
(This permits reading the title only in lieu of reciting the entire text.)*
- 2.2 *Approval of Minutes – for the Work Session and Regular Meeting of March 16, 2010*
- 2.3 **LEASE AGREEMENT – FAMILY RESOURCE CENTER**
Authorize the City Manager to Execute a Five-Year Lease Agreement Renewal with the State of California for a Total of 9,573 Square Feet of Office and Common Area Space for the Employment Development Department Located at the Family Resource Center

Contact Person:

Name:	Randy Sabado	Suzanne Shenfil
Title:	Real Property Manager	Director
Dept.:	Community Development	Human Services
Phone:	510-494-4715	510-574-2051
E-Mail:	rsabado@fremont.gov	sshensfil@fremont.gov

RECOMMENDATION: *Authorize the City Manager or his designee to execute a five-year lease agreement as described in the staff report with the State Department of*

General Services for a total of 9,573 square feet of office and common area space for the State Employment Development Department office located at the Fremont Family Resource Center.

2.4 TRAFFIC SIGNAL MODIFICATION AT THREE INTERSECTIONS ON STEVENSON BOULEVARD

Approval of Plans and Specifications and Award of Contract for Traffic Signal Modifications at Stevenson Boulevard/Sundale Drive, Stevenson Boulevard/Besco Drive and Stevenson Boulevard/Davis Street (City Project Nos. 8701, 8702, 8703 PWC)

Contact Person:

Name:	<i>Ed Evangelista</i>	<i>Kunle Odumade</i>
Title:	<i>Associate Transportation Engineer</i>	<i>Transportation Engineer</i>
Dept.:	<i>Public Works</i>	<i>Public Works</i>
Phone:	<i>510-494-4424</i>	<i>510-494-4746</i>
E-Mail:	<i>eevangelista@fremont.gov</i>	<i>kodumade@fremont.gov</i>

RECOMMENDATION: Approve the plans and specifications, accept the bid and award the construction contract for the Traffic Signal Modifications on Stevenson Boulevard/Sundale Drive, Stevenson Boulevard/Besco Drive and Stevenson Boulevard/Davis Street (City Project Nos. 8701, 8702, 8703 PWC) to Wingard Engineering Inc., in the amount of \$453,063.04, and authorize the City Manager or his designee to execute the contract.

2.5 LED STREET LIGHT RETROFIT ON STEVENSON BOULEVARD

Approval of Plans and Specifications and Award of Contract for the LED Street Light Retrofit on Stevenson Boulevard Project (PWC 8725)

Contact Person:

Name:	<i>Ed Evangelista</i>	<i>Kunle Odumade</i>
Title:	<i>Associate Transportation Engineer</i>	<i>Transportation Engineer</i>
Dept.:	<i>Public Works</i>	<i>Public Works</i>
Phone:	<i>510-494-4424</i>	<i>510-494-4746</i>
E-Mail:	<i>eevangelista@fremont.gov</i>	<i>kodumade@fremont.gov</i>

RECOMMENDATION:

- 1. Approve the plans and specifications, accept the bid and award the construction contract for the LED Street Light Retrofit on Stevenson Boulevard Project (PWC8725) to Republic Intelligent Transportation Services, Inc., in the amount of \$172,874, and authorize the City Manager or his designee to execute the contract.*
- 2. Transfer appropriation of \$24,895 from 194PWC8712 (Library Roof) to 194PWC8725, LED Street Light Retrofit on Stevenson Boulevard, and authorize the appropriation of any funds remaining to other energy efficiency-related project(s) eligible for EECBG funding.*

2.6 ***NILES BOULEVARD ROADWAY IMPROVEMENTS COST SHARING AGREEMENT***
Approval and Execution of a Cost Sharing Agreement with Union Sanitary District for the Installation of Sanitary Sewer Laterals for the Niles Boulevard Roadway Improvement Project, City Project No. 8666(PWC)

Contact Person:

<i>Name:</i>	<i>Dilip Kishnani</i>	<i>Norm Hughes</i>
<i>Title:</i>	<i>Associate Civil Engineer</i>	<i>City Engineer</i>
<i>Dept.:</i>	<i>Public Works</i>	<i>Public Works</i>
<i>Phone:</i>	<i>510-494-4736</i>	<i>510-474-4748</i>
<i>E-Mail:</i>	<i>dkishnani@fremont.gov</i>	<i>nhughes@fremont.gov</i>

RECOMMENDATION: Authorize the City Manager or his designee to execute a Construction Cost Sharing Agreement with Union Sanitary District for the installation of new sanitary sewer laterals within the USD sewer main replacement project limits in an amount no to exceed \$260,000.

3. CEREMONIAL ITEMS

- 3.1 Ms. Wang's Azevada Elementary School Chinese Immersion Kindergarten Class Song Presentation in Honor of Chinese New Year

4. PUBLIC COMMUNICATIONS

- 4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – None.

PUBLIC FINANCING AUTHORITY – The Public Financing Authority Board will convene at this time and take action on the agenda items listed on the Public Financing Authority Agenda. [See separate agenda](#) (lilac paper).

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS

7.1 CONSIDERATION OF A VOTE OF OPPOSITION TO THE GOVERNOR’S PLAN TO ABOLISH REDEVELOPMENT AGENCIES

Consider a Vote of Opposition, and Authorize the Submittal of a Letter of Opposition, to the Governor’s January Budget Proposal Which Calls for the Abolishment of Redevelopment Agencies as of July 1, 2011

Contact Person:

Name:	Elisa Tierney	Robert Beyer
Title:	Redevelopment Agency Director	Interim Director
Dept.:	City Manager	Community Development
Phone:	510-494-4501	510-494-4767
E-Mail:	etierney@fremont.gov	rbeyer@fremont.gov

RECOMMENDATION: Approve submittal of a letter stating opposition to the Governor’s proposal to eliminate redevelopment agencies.

7.2 CONSIDERATION OF A VOTE OF OPPOSITION TO PROPOSAL TO REDUCE FORMULA FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANTS

Consider a Vote of Opposition, and Authorize the Submittal of Letters of Opposition, to Federal Efforts to Reduce Formula Funding for Federal Community Development Block Grants

Contact Person:

Name:	Arquimides Caldera	Suzanne Shenfil
Title:	Deputy Director	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2056	510-574-2051
E-Mail:	acaldera@fremont.gov	sshensfil@fremont.gov

RECOMMENDATION: Approve submittal of a letter stating opposition to any proposal to reduce formula funding for the Community Development Block Grant Fund.

7.3 CONSIDERATION OF A VOTE OF OPPOSITION TO THE GOVERNOR’S PLAN TO ELIMINATE THE MULTIPURPOSE SENIOR SERVICES PROGRAM (MSSP)

Consider a Vote of Opposition, and Authorize the Submittal of a Letter of Opposition, to the Elimination of Multipurpose Senior Services Program (MSSP)

Contact Person:

Name:	Karen Grimsich	Suzanne Shenfil
Title:	AFS Administrator	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2062	510-574-2051
E-Mail:	kgrimsich@fremont.gov	sshensif@fremont.gov

RECOMMENDATION: Approve submittal of a letter stating opposition to the Governor's proposal to eliminate the Multipurpose Senior Services Program.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

8.1.1. MAYOR WASSERMAN REFERRAL: Appointments and Reappointments to advisory bodies

8.1.2. COUNCILMEMBER HARRISON REFERRAL: Request Staff to Explore Opportunities for Community Outreach Around the City Budget

8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



REPORT SECTION
FREMONT CITY COUNCIL
REGULAR MEETING

FEBRUARY 8, 2011

***2.3 LEASE AGREEMENT – FAMILY RESOURCE CENTER**

Authorize the City Manager to Execute a Five-Year Lease Agreement Renewal with the State of California for a Total of 9,573 Square Feet of Office and Common Area Space for the Employment Development Department Located at the Family Resource Center

Contact Person:

Name:	Randy Sabado	Suzanne Shenfil
Title:	Real Property Manager	Director
Dept.:	Community Development	Human Services
Phone:	510-494-4715	510-574-2051
E-Mail:	rsabado@fremont.gov	sshenfil@fremont.gov

Executive Summary: The purpose of this report is to recommend that the City Council authorize the City Manager to execute a five-year lease agreement renewal with the State of California for a total of 9,573 square feet of office and common area space for the Employment Development Department located at 39155 Liberty Street, Suites B-200 and C-300.

BACKGROUND: The Fremont Family Resource Center (FRC) is an innovative project comprised of 27 non-profit, city, county and state agencies that provide a variety of integrated services including employment, housing, child care, health education and social support. The City owns two buildings located at 39155 Liberty Street that house the FRC and leases to, among other tenants, the State Employment Development Department (EDD).

EDD provides a wide range of services to California residents, including the following:

- Assisting California employers with their labor needs.
- Helping California job seekers obtain employment.
- Administering the federally-funded workforce investment programs for adults, dislocated workers, and youth.
- Assisting disadvantaged recipients in becoming self-sufficient.
- Helping unemployed and disabled workers through the administration of the unemployment insurance and state disability insurance programs.

EDD entered into a four-year lease agreement with the City in 2002 and has been on a month-to-month hold-over since 2006. Since then, the City and the California Department of General Services have been negotiating the terms of a new agreement. Part of the delay for the renewal has been a number of ADA upgrades to the property required by the State. These have now been completed.

DISCUSSION/ANALYSIS: The economic recession has had a tremendous impact on Alameda County residents, with increased unemployment rates now at around 11% countywide, and greater demand for social services at the FRC. As noted earlier, EDD provides essential employment services to Alameda County residents and their continued tenancy at the FRC is highly desired.

The proposed new lease with EDD is a five-year lease at a rate of \$2.25 per square foot per month, for a total of 9,573 square feet, including 7,720 square feet of office space and 1,853 square feet of common area space, for a total rent of \$21,539.25 per month. The lease also provides for yearly adjustments based upon changes in the Consumer Price Index and contains other provisions relating to insurance, termination, repair and maintenance.

FISCAL IMPACT: Revenues and expenses associated with this lease are incorporated in the FRC's 30-year model and are consistent with goal of keeping the FRC financially sustainable.

ENVIRONMENTAL REVIEW: The proposed lease agreement continues the use of the existing facility. The project is exempt from the California Environmental Quality Act (CEQA) per Guideline 15301 as a continuation of use of an existing facility that does not expand the types of uses.

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or his designee to execute a five-year lease agreement as described in the staff report with the State Department of General Services for a total of 9,573 square feet of office and common area space for the State Employment Development Department office located at the Fremont Family Resource Center.

***2.4 TRAFFIC SIGNAL MODIFICATION AT THREE INTERSECTIONS ON STEVENSON BOULEVARD**

Approval of Plans and Specifications and Award of Contract for Traffic Signal Modifications at Stevenson Boulevard/Sundale Drive, Stevenson Boulevard/Besco Drive and Stevenson Boulevard/Davis Street (City Project Nos. 8701, 8702, 8703 PWC)

Contact Person:

Name:	Ed Evangelista	Kunle Odumade
Title:	Associate Engineer	Transportation Engineer
Dept.:	Public Works	Public Works
Phone:	510-494-4424	510-494-4746
E-Mail:	eevangelista@fremont.gov	kodumade@fremont.gov

Executive Summary: This report requests the City Council approve the plans and specifications, accept the bid, and award the contract to Wingard Engineering Inc., the lowest responsive and responsible bidder, in the amount of \$453,063.04, for traffic signal modifications at three intersections on Stevenson Boulevard (Stevenson Boulevard/Sundale Drive, Stevenson Boulevard/Besco Drive and Stevenson Boulevard/Davis Street, PWC Nos. 8701, 8702 and 8703, respectively).

BACKGROUND: On June 9, 2009, the City Council allocated funds from the Fiscal Year 2008/09 Traffic Improvement Program (PWC 7953) for traffic signal modifications at Stevenson Boulevard/Sundale Drive, Stevenson Boulevard/Besco Drive and Stevenson Boulevard/Davis Street. The traffic signal equipment at these three intersections is outdated and needs to be upgraded with signal equipment that meets current State and City standards and is more energy efficient. The outdated signal system is prone to frequent signal malfunction, which typically leads to traffic delays and higher maintenance costs. All existing signal poles, vehicle and pedestrian signal heads, pedestrian push buttons and all conduits and wiring will be replaced at all three intersections. In order to reduce signal pole knockdowns, signal poles (for left-turn traffic) mounted in the medians will be removed and replaced with new signal poles behind the face of curb with longer mastarms. To increase the visibility of the signal heads, all existing 8-inch signal heads will be replaced with new 12-inch signal heads. The project will also include installing countdown pedestrian indicators and updated Accessible Pedestrian Signal (APS) push buttons for visually impaired pedestrians.

The project will also install a Closed Circuit Television (CCTV) camera at Stevenson/Blacow and Stevenson/Besco. The installation of CCTV cameras will allow the broadcast of live video images from the intersections back to the City's Traffic Management Center (TMC) in the Development Center building. At the TMC, staff will be able to monitor traffic flow on Stevenson Boulevard and along each cross street from the camera. The installation of the cameras will provide staff with the tools necessary to be more proactive in identifying and verifying any traffic issues from the TMC and mitigating them in a timely manner by remotely adjusting the traffic signal cycle length and coordination in order to minimize adverse impact to the traveling public.

DISCUSSION: The project was advertised and bids were opened on January 13, 2011. The bidders with their respective bid amounts are as follows:

<u>Bidder</u>	<u>Total Bid Amount</u>
Wingard Engineering Inc.	\$453,063.04
Republic ITS *	\$455,793.50
Steiny and Company	\$471,769.00
Beltramo Electric	\$480,460.00
St. Francis Electric	\$511,500.00
W. Bradley Electric	\$531,220.00
Tennyson Electric	\$586,679.00
Ray's Electric	\$684,111.25
<i>Engineer's Base Bid Estimate</i>	<i>\$463,180.00</i>

* Mathematically Corrected Bid

The low bidder, Wingard Engineering Inc., is a responsible bidder, its bid is responsive, and all bid documents are in order. Therefore, staff recommends that the construction contract be awarded to Wingard Engineering Inc.

Project Cost and Funding: The following is a summary of the estimated total project cost:

Preliminary Engineering	\$ 16,000.00
Surveying	\$ 16,500.00
Design and Project Administration	\$ 78,000.00
Construction Contract	\$ 453,064.04
PG&E Service Point Fee (estimate)	\$ 10,000.00
Republic Electric: Turn-on Assistance (estimate)	\$ 6,000.00
Construction Administration & Inspection (estimate)	\$ 60,000.00
Total Project Cost	<u>\$ 639,564.04</u>

FISCAL IMPACT: Project funding to date is as follows:

PWC 8701 Fund 531 – Traffic Impact Fee	\$ 285,000.00
PWC 8702 Fund 531 – Traffic Impact Fee	\$ 310,000.00
PWC 8703 Fund 531 – Traffic Impact Fee	<u>\$ 280,000.00</u>
Total Project Funding	\$ 875,000.00

There are sufficient funds available for the project.

ENVIRONMENTAL REVIEW: This project is categorically exempt under Section 15301(c) of the Guidelines for California Environmental Quality Act as a minor alteration of an existing facility.

ENCLOSURE: [Location Map](#)

RECOMMENDATION: Approve the plans and specifications, accept the bid and award the construction contract for the Traffic Signal Modifications on Stevenson Boulevard/Sundale Drive, Stevenson Boulevard/Besco Drive and Stevenson Boulevard/Davis Street (City Project Nos. 8701, 8702, 8703 PWC) to Wingard Engineering Inc., in the amount of \$453,063.04, and authorize the City Manager or his designee to execute the contract.

***2.5 LED STREET LIGHT RETROFIT ON STEVENSON BOULEVARD**

Approval of Plans and Specifications and Award of Contract for the LED Street Light Retrofit on Stevenson Boulevard Project (PWC 8725)

Contact Person:

Name:	Ed Evangelista	Kunle Odumade
Title:	Associate Transportation Engineer	Transportation Engineer
Dept.:	Public Works	Public Works
Phone:	510-494-4424	510-494-4746
E-Mail:	eevangelista@fremont.gov	kodumade@fremont.gov

Executive Summary: The purpose of this report is to request that the City Council approve the plans and specifications, accept the bid, and award the construction contract for the LED Street Light Retrofit on Stevenson Boulevard Project (PWC 8725) to the lowest responsive and responsible bidder, Republic Intelligent Transportation Services, Inc., for \$172,874.

BACKGROUND: In June 2009, the City Council approved the City's application to the federal Department of Energy (DOE) for \$1.89 million in Energy Efficiency and Conservation Block Grants (EECBG). In November 2009, the DOE approved the City's application, which included funding to install energy efficient Light Emitting Diode (LED) streetlights and/or parking lot lights.

The project is part of the City's long-term plan to convert all existing street lights to more energy efficient technologies. It is consistent with the City's emphasis on sustainability and will help the City reduce overall electrical consumption and greenhouse gas emissions from day-to-day operations. LED street lights will reduce energy consumption and costs by an average of approximately 50 percent compared to high pressure sodium (HPS) street lights. LED lights also have an expected operating life of about 28 years versus four years for HPS lights, which will lead to additional savings on maintenance costs.

This project will replace all existing HPS street light heads with LED street light heads along Stevenson Boulevard from Murietta Drive (adjacent to the I-880 interchange) to Mission Boulevard. No changes will be made to the existing poles and wiring. This encompasses approximately a 3.1-mile stretch of Stevenson Boulevard with 264 street light heads being replaced with LED street lights. The resulting benefits of the project will be an estimated reduction in electrical consumption by 79,000 kWh per year and an estimated savings of \$9,800 per year on electrical costs, both of which represent about a 40 percent reduction compared to existing conditions. Detailed maintenance cost savings have not been calculated.

Bid Results: The project was advertised and bids were opened on January 13, 2011. The bids received are as follows:

BIDDER	TOTAL BID	RANK
Republic Intelligent Transportation Services, Inc.	\$172,874.00	1
Wingard Engineering, Inc.	\$180,486.02	2
Ray's Electric	\$197,150.00	3
Tennyson Electric, Inc.	\$203,284.00	4
W. Bradley Electric, Inc.	\$205,600.00	5
Econolite Traffic Engineering and Maintenance	\$214,184.86	6
Northern Underground Construction, Inc.	\$225,310.00	7
Steiny and Company, Inc.	\$264,940.00	8
<i>Engineer's Estimate</i>	<i>\$184,100.00</i>	

The low monetary bidder, Republic Intelligent Transportation Services, Inc., is a responsible bidder with experience in this type of work. Their bid is responsive as all bid documents are in order.

Project Cost and Funding: The following is a summary of the estimated total project cost:

Preliminary Engineering and Design	\$13,500
Construction Cost (low bid, includes \$10,000 construction contingency)	\$172,874
Construction Administration and Inspection (estimate)	\$12,000
Total Estimated Cost	\$198,374

Project funding is as follows:

Fund 194 – Federal Grant (EECBG) available for LED Lights	\$163,200
Fund 194 – Federal Grant (EECBG) re-appropriated from Library Roof Project (PWC8712)	\$24,895
PG&E Rebates (estimate)	\$26,000
Total Available Funding	\$214,095

FISCAL IMPACT: Based on current estimates, there are sufficient funds available for this project. Funding sources include \$163,200 from EECBG funds currently allocated to this project. The City Council previously allocated \$33,800 of the \$197,000 EECBG funding to install LED streetlights as part of the Osgood Road reconstruction project, leaving a total of \$163,200 available. Funding also includes a request for the City Council to transfer \$24,895 of EECBG funds from the Library Roof project (194PWC8712), and \$26,000 in anticipated PG&E rebates. The Library Roof project was completed under budget and the grant allows for transfers of EECBG funding between projects within the application. The estimated \$26,000 from PG&E will be recovered as part of a rebate program for converting HPS street lights to LED street lights. PG&E offers a unit cost rebate per street light fixture converted, ranging from \$50 to \$200, depending on the wattage of the light being replaced. Staff will apply for this rebate upon the completion of construction, and the amount of the rebate will be applied back to this project to offset the overall project cost. Any remaining funds after completion of the project will be transferred to another EECBG-eligible project.

ENVIRONMENTAL REVIEW: This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the project is a minor alteration to an existing facility.

ENCLOSURE: None

RECOMMENDATION:

1. Approve the plans and specifications, accept the bid and award the construction contract for the LED Street Light Retrofit on Stevenson Boulevard Project (PWC8725) to Republic Intelligent Transportation Services, Inc., in the amount of \$172,874, and authorize the City Manager or his designee to execute the contract.
2. Transfer appropriation of \$24,895 from 194PWC8712 (Library Roof) to 194PWC8725, LED Street Light Retrofit on Stevenson Boulevard, and authorize the appropriation of any funds remaining to other energy efficiency-related project(s) eligible for EECBG funding.

***2.6 NILES BOULEVARD ROADWAY IMPROVEMENTS COST SHARING AGREEMENT**
Approval and Execution of a Cost Sharing Agreement with Union Sanitary District for the
Installation of Sanitary Sewer Laterals for the Niles Boulevard Roadway Improvement
Project, City Project No. 8666(PWC)

Contact Person:

Name:	Dilip Kishnani	Norm Hughes
Title:	Associate Civil Engineer	City Engineer
Dept.:	Public Works	Public Works
Phone:	510-494-4736	510-474-4748
E-Mail:	dkishnani@fremont.gov	nhughes@fremont.gov

Executive Summary: The purpose of this report is to request City Council approval and authorization of the Construction Cost Sharing Agreement between the City of Fremont and the Union Sanitary District (USD) for the Niles Boulevard Roadway Improvement Project for payment to USD, in an amount not to exceed \$260,000 to remove and replace sanitary sewer laterals within the limits of the USD sewer main replacement.

BACKGROUND: The 2007/08-2011/12 CIP funded \$2,990,000 for the Niles Boulevard Roadway Improvement project from the Sullivan Underpass to the California Nursery Historic Park. Subsequent CIP and Redevelopment Agency Project Appropriation Plans have appropriated additional funding, bringing the total funded budget for this project to \$3,394,000. The project and draft negative declaration were reviewed by the Historical Architectural Review Board (HARB) at its hearing on February 4, 2010, at which time HARB recommended City Council approve the project as proposed and adopt the Negative Declaration. Subsequent to this, the City Council approved the street configuration design and adopted the environmental document for the Niles Boulevard Roadway Improvement Project on March 23, 2010.

The Niles Boulevard Roadway Improvement Project involves reconstruction of the existing roadway which impacts the existing shallow underground utilities. In advance of the street improvement project, Alameda County Water District (ACWD) and Union Sanitary District (USD) will replace and lower their respective old shallow mains. ACWD has now completed its work. USD is scheduled to start the sanitary sewer work by March 1, 2011 and complete it by June 1, 2011. The Niles Boulevard Roadway Improvement project is scheduled to start shortly after USD is finished.

DISCUSSION:

Cost Sharing Agreement: USD currently owns and maintains 6-inch and 8-inch sanitary sewer mains serving the properties within the City's project limits. The sanitary sewer laterals connecting the mains are owned and maintained by the respective property owners. Through the proposed Agreement, the City of Fremont will bear the construction costs associated with the removal of the existing sanitary sewer laterals and installation of the new sanitary sewer laterals and connection of the new laterals to the new sewer main. USD will bear the rest of the costs associated with the sanitary sewer main replacement, including all design, construction and project administration costs.

Staff determined it would be more cost effective if USD constructed the laterals at the same time they are installing the new sewer main. Therefore, staff and USD developed a Construction Cost Sharing Agreement under which the City would reimburse USD for the actual construction costs related to the removal and replacement of thirty-seven sanitary sewer laterals within the USD project limits. Under the terms of the agreement, the USD bid documents included a separate line item for this work (total estimated cost of \$222,000) and the City would be required to reimburse USD for the actual costs of the sanitary sewer lateral work up to a not-to-exceed amount of \$260,000.

USD staff will be presenting the Construction Cost Sharing Agreement to their Board for approval at their February 14, 2011 meeting. Approval of the Construction Cost Sharing Agreement by the City Council is needed prior to the USD board meeting.

PROJECT COSTS AND FUNDING: The following is a summary of estimated project costs:

Total Staff Costs (To Date)	\$ 300,000
Future Design Staff Costs	\$ 48,000
Right-of-Way Acquisition and Staff Costs	\$ 190,000
Construction Inspection, Surveying and Administration	\$ 200,000
Construction Contract	\$2,100,000
Sanitary Sewer Lateral Replacement (not to exceed)	\$ 260,000
Project Contingency	<u>\$ 280,000</u>
Estimated Total Project Costs:	\$3,308,000

Funding for the project is as follows:

Fund 132	State Gas Tax 2106 Fund	\$ 480,000
Fund 142	Gas Tax 2105 Fund	\$ 1,420,000
Fund 508	ACTIA Measure B-Local Street/Road	\$ 1,050,000
Fund 526	Prop 42 Traffic Congestion AB2928	\$ 40,000
Fund 951	Fremont Redevelopment Fund	<u>\$ 404,000</u>
	Estimated Available Funding Total:	\$ 3,394,000

There are sufficient funds in the project budget to reimburse USD for the sanitary sewer lateral work as stated in the Construction Cost Share Agreement.

ENVIRONMENTAL REVIEW: The USD sanitary sewer main and lateral replacement project is exempt from CEQA review pursuant to CEQA Guideline 15301. On March 23, 2010, the City Council adopted a mitigated negative declaration for the Niles Boulevard Roadway Improvement Project. No changes to the project or its circumstances have occurred and not new information has become available since adoption of the mitigated negative declaration that would require preparation of additional environmental documentation.

ENCLOSURE: [Construction Cost Sharing Agreement, Niles Boulevard Sanitary Sewer Project](#)

RECOMMENDATION: Authorize the City Manager or his designee to execute a Construction Cost Sharing Agreement with Union Sanitary District for the installation of new sanitary sewer laterals within the USD sewer main replacement project limits in an amount no to exceed \$260,000.

6.1 Report Out from Closed Session of Any Final Action

7.1 CONSIDERATION OF A VOTE OF OPPOSITION TO THE GOVERNOR'S PLAN TO ABOLISH REDEVELOPMENT AGENCIES

Consider a Vote of Opposition, and Authorize the Submittal of a Letter of Opposition, to the Governor's January Budget Proposal Which Calls for the Abolishment of Redevelopment Agencies as of July 1, 2011

Contact Person:

Name:	Elisa Tierney	Robert Beyer
Title:	Redevelopment Agency Director	Interim Director
Dept.:	City Manager	Community Development
Phone:	510-494-4501	510-494-4767
E-Mail:	etierney@fremont.gov	rbeyer@fremont.gov

Executive Summary: The Governor's January 10, 2011 proposed budget calls for the elimination of all redevelopment agencies in the State by July 1, 2011. This is part of a package of proposals to address a budget shortfall of \$25.4 billion in the FY 2011/12 California State Budget. The League of California Cities and the California Redevelopment Association (CRA) oppose this proposal. Redevelopment is a locally governed tool that supports jobs, creates additional taxable income for the State, creates additional property tax revenue that goes back to the County and schools, and produces new, high quality affordable housing. In addition, this proposal is contrary to Proposition 22, which received 61% voter approval in November 2010, to protect local government revenues from State take-aways.

According to the California Redevelopment Association and State Building and Construction Trades Council of California, AFL-CIO, the impacts of the Governor's proposed budget would result in the following:

- Loss of 300,000 jobs a year provided by redevelopment projects, most of them construction jobs;
- Increased urban sprawl development and green house gas emissions;
- Severely limited construction of affordable housing; and
- Reduction in new revenues received by the State and local agencies of \$2 billion resulting from planned but cancelled redevelopment projects.

The League of California Cities and CRA are calling for elected officials to communicate opposition of the proposed elimination of redevelopment agencies to the Governor, as well as remind him of the benefits and positive ways redevelopment is making a difference.

BACKGROUND: On January 11, 2011, Governor Brown released his Fiscal Year 2011-2012 State Budget. One of the many proposals in the budget is to abolish all 400 California redevelopment agencies as of July 1, 2011. Essentially, all new projects (those without prior commitments or contracts) of California's redevelopment agencies would cease and the existing debt and various project agreements would be placed in new receiver agencies whose sole purpose would be to pay off these various obligations over time.

There are other more detailed financial proposals included as part of the Governor's proposal, but the main thrust is to terminate all new economic development, affordable housing or infrastructure projects funded through redevelopment agencies.

DISCUSSION/ANALYSIS: The Governor's proposal to eliminate redevelopment agencies will virtually eliminate the ability of California communities to address the economic needs of their residents. Rather than rush through this proposal, the State Legislature should table the proposal to abolish redevelopment agencies and work with local governments and redevelopment agencies to analyze and propose more feasible alternatives that would allow redevelopment agencies across the state to help contribute to solving the State's budgetary problems without dismantling many local governments' only tool for generating economic development in their communities.

A lack of budgetary discipline is a significant cause of the State of California's problems. This has been exacerbated by the State of California raiding local government funds to balance its budget, rather than making the needed cuts in Sacramento. The elimination of redevelopment agencies will not generate new revenues for the State of California in the immediate future, but it will eliminate the economic engine that has driven the California economy for years.

FISCAL IMPACT: There would be no direct fiscal impact should the Council choose to submit this letter; however, the elimination of redevelopment agencies would have a detrimental effect on the State and local economies.

ENVIRONMENTAL REVIEW: N/A

ENCLOSURE: None.

RECOMMENDATION: Approve submittal of a letter stating opposition to the Governor's proposal to eliminate redevelopment agencies.

7.2 CONSIDERATION OF A VOTE OF OPPOSITION TO PROPOSAL TO REDUCE FORMULA FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANTS
Consider a Vote of Opposition, and Authorize the Submittal of Letters of Opposition, to Federal Efforts to Reduce Formula Funding for Federal Community Development Block Grants

Contact Person:

Name:	Arquimides Caldera	Suzanne Shenfil
Title:	Deputy Director	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2056	510-574-2051
E-Mail:	acaldera@fremont.gov	sshensfil@fremont.gov

Executive Summary: The Alameda County Board Supervisors, based on a report from the County's lobbyist, recently wrote a letter to the Obama Administration expressing their concern regarding a proposal to reduce the current \$4 billion in formula funding for the Community Development Block Grant (CDBG) program by 25%. Such a proposal could reduce the City's current allocation by approximately \$448,361, from \$1,793,445 to \$1,345,084. This reduction would directly impact the City's ability to fund social services, microenterprise services, and affordable housing pre-development and public facilities that benefit low and moderate income families in Fremont. Staff is recommending that the City Council follow the actions of the Board of Supervisors, and other jurisdictions around the country, in opposing the proposed cut.

BACKGROUND: The CDBG Program is funded through federal entitlement funds the City receives from the Department of Housing and Urban Development (HUD). The primary objective of the CDBG program is to develop viable urban communities, principally for low and moderate-income households, through the provision of decent housing, a suitable living environment, and economic opportunity. CDBG funds must be used for activities which:

1. Directly benefit low and moderate-income families. Most households receiving benefit from this program cannot earn more than \$59,600 for a family of three. Most funds, however, based on current CDBG usage, serve families with even lower incomes, annually under 50% of the median income (\$40,200 for a family of three);
2. Aid in the elimination of slums or blight; or
3. Other activities designed to meet urgent community needs when conditions may pose an immediate threat to the health or welfare of the community. Federal rules allow each community to tailor its program to address specific local needs.

Over the years, the City has undertaken tens of millions of dollars in projects that benefit low and moderate income families. Projects can be categorized primarily into three types:

1. Capital Bricks and Mortar Projects, such as predevelopment of affordable housing, and the building and renovation of community health clinics, homeless shelters, and child care centers.

2. Housing Public Services, Social Services and Fair Housing & Landlord/Tenant Services, such as domestic violence services, homeless services, and senior services
3. Microenterprise Services that assist residents in starting their own small businesses.

DISCUSSION/ANALYSIS: The City's FY 2010/11 CDBG allocation is \$1,793,445. A 25% reduction in this allocation would equal a loss of approximately \$448,361. This would include a \$291,434 reduction in capital and microenterprise funding, a \$67,254 reduction in public services funding, and an \$89,673 reduction in administrative funding. Combined with the proposed elimination of redevelopment agencies by the State, this potential cut to CDBG would severely impact the ability of the City to develop affordable housing.

FISCAL IMPACT: There would be no direct fiscal impact should the Council choose to submit this letter; however, any reduction in CDBG funding would have a detrimental effect on the City's ability to fund capital, social service and microenterprise projects that benefit low and moderate income residents.

ENVIRONMENTAL REVIEW: N/A

ENCLOSURE: None.

RECOMMENDATION: Approve submittal of a letter stating opposition to any proposal to reduce formula funding for the Community Development Block Grant Fund.

7.3 CONSIDERATION OF A VOTE OF OPPOSITION TO THE GOVERNOR'S PLAN TO ELIMINATE THE MULTIPURPOSE SENIOR SERVICES PROGRAM (MSSP).

Consider a Vote of Opposition, and Authorize the Submittal of a Letter of Opposition, to the Elimination of Multipurpose Senior Services Program (MSSP).

Contact Person:

Name:	Karen Grimsich	Suzanne Shenfil
Title:	AFS Administrator	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2062	510-574-2051
E-Mail:	kgrimsich@fremont.gov	sshenfil@fremont.gov

Executive Summary: The Governor's January 10, 2011 proposed budget calls for the elimination and reduction of social service programs, including the Multipurpose Senior Services Program (MSSP). The City of Fremont Human Services Department administers a MSSP contract in the amount of \$235,675, which helps 65 of the most vulnerable, low-income, south county seniors to remain in their homes; there are seniors who would otherwise be placed in more expensive skilled nursing care facilities at taxpayer expense.

On January 25, 2011, at a budget hearing in Sacramento, the elimination was opposed by AARP, the Alzheimer's Association, California Association of Adult Services, and the MSSP Site Association. In addition, the Legislative Analyst's Office recommends against the elimination of MSSP. Staff is recommending the City Council submit a letter of opposition to the Governor's proposal to eliminate MSSP.

BACKGROUND: The City of Fremont was selected by the California Department of Aging, through a competitive process, to become a MSSP site in FY 2000/01. Since FY 2000/01, the City has also received approximately \$50,000 per year in matching funds for this program from the Alameda County Social Services Agency. Human Services case managers serve annually, on average, 65 of the frailest seniors in southern Alameda County. On January 11, 2011, Governor Brown released his Fiscal Year 2011-2012 State Budget. One of the many proposals in the budget is to eliminate MSSP.

DISCUSSION/ANALYSIS: MSSP clients are State certified at nursing home level of care and unable to live at home safely without MSSP services. The MSSP Site Association challenges the short-sightedness of the cuts. If just 18% of the current MSSP participants are placed in a more expensive nursing care facility, the entire "savings" from the MSSP elimination is immediately wiped out. The City operates its MSSP program at an annual cost of approximately \$5,251 per senior. By comparison, a skilled nursing care facility would cost taxpayers approximately seven times as much, at an annual cost of \$37,000 per senior. Furthermore the Governor's proposal to eliminate MSSP would also eliminate the federal dollar-for-dollar Medicaid matching funds that support this program.

FISCAL IMPACT: There would be no direct fiscal impact should the Council choose to submit this letter; however, the elimination of the MSSP program would have a detrimental effect on the elders of Fremont.

ENVIRONMENTAL REVIEW: None

ENCLOSURE: None

RECOMMENDATION: Approve submittal of a letter stating opposition to the Governor's proposal to eliminate the Multipurpose Senior Services Program.

8.1 Council Referrals

8.1.1. MAYOR WASSERMAN REFERRAL: Appointments and Reappointments to advisory bodies with terms expiring as follows:

Appointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Human Relations Commission	Desrie Campbell	December 31, 2013

Reappointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
George W. Patterson House Advisory Board	Al Minard (Mission Peak Heritage Foundation)	December 31, 2014

ENCLOSURES: [Applications on File](#)

8.1.2 COUNCILMEMBER HARRISON REFERRAL: Request Staff to Explore Opportunities for Community Outreach Around the City Budget

The purpose of my referral is to request that staff explore opportunities for community outreach around the City budget. Effective outreach could be accomplished through a variety of methods including developing a community survey, holding a series of workshops throughout the community and/or creation of an Ad-Hoc Citizen Committee to advise Council on issues pertaining to City finance and budget.

While I am mindful of staff workload, I believe it is important to create a two-way communication forum to share information with the community on the many difficult financial challenges facing the City of Fremont.

ENCLOSURE: None

8.2 Oral Reports on Meetings and Events

ACRONYMS

ABAG.....	Association of Bay Area Governments	FUSD	Fremont Unified School District
ACCMA.....	Alameda County Congestion Management Agency	GIS	Geographic Information System
ACE	Altamont Commuter Express	GPA.....	General Plan Amendment
ACFCD	Alameda County Flood Control District	HARB	Historical Architectural Review Board
ACTA	Alameda County Transportation Authority	HBA	Home Builders Association
ACTIA	Alameda County Transportation Improvement Authority	HRC	Human Relations Commission
ACWD	Alameda County Water District	ICMA	International City/County Management Association
BAAQMD	Bay Area Air Quality Management District	JPA	Joint Powers Authority
BART	Bay Area Rapid Transit District	LLMD	Lighting and Landscaping Maintenance District
BCDC	Bay Conservation & Development Commission	LOCC	League of California Cities
BMPs	Best Management Practices	LOS	Level of Service
BMR	Below Market Rate	MOU	Memorandum of Understanding
CALPERS.....	California Public Employees' Retirement System	MTC.....	Metropolitan Transportation Commission
CBD	Central Business District	NEPA	National Environmental Policy Act
CDD.....	Community Development Department	NLC.....	National League of Cities
CC & R's	Covenants, Conditions & Restrictions	NPDES.....	National Pollutant Discharge Elimination System
CDBG	Community Development Block Grant	NPO.....	Neighborhood Preservation Ordinance
CEQA	California Environmental Quality Act	PC.....	Planning Commission
CERT	Community Emergency Response Team	PD	Planned District
CIP	Capital Improvement Program	PUC.....	Public Utilities Commission
CMA	Congestion Management Agency	PVAW	Private Vehicle Accessway
CNG.....	Compressed Natural Gas	PWC.....	Public Works Contract
COF	City of Fremont	RDA	Redevelopment Agency
COPPS	Community Oriented Policing and Public Safety	RFP	Request for Proposals
CSAC.....	California State Association of Counties	RFQ.....	Request for Qualifications
CTC	California Transportation Commission	RHNA	Regional Housing Needs Allocation
dB	Decibel	ROP.....	Regional Occupational Program
DEIR.....	Draft Environmental Impact Report	RRIDRO.....	Residential Rent Increase Dispute Resolution Ordinance
DO	Development Organization	RWQCB	Regional Water Quality Control Board
DU/AC.....	Dwelling Units per Acre	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District	SPAA	Site Plan and Architectural Approval
EDAC	Economic Development Advisory Commission (City)	STIP	State Transportation Improvement Program
EIR.....	Environmental Impact Report (CEQA)	TCRDF.....	Tri-Cities Recycling and Disposal Facility
EIS	Environmental Impact Statement (NEPA)	T&O	Transportation and Operations Department
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio	UBC	Uniform Building Code
FEMA.....	Federal Emergency Management Agency	USD.....	Union Sanitary District
FFD.....	Fremont Fire Department	VTa	Santa Clara Valley Transportation Authority
FMC.....	Fremont Municipal Code	WMA	Waste Management Authority
FPD.....	Fremont Police Department	ZTA.....	Zoning Text Amendment
FRC.....	Family Resource Center		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

<i>Date</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>	<i>Cable Channel 27</i>
February 15, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 22, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 1, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 8, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 15, 2011	TBD	Work Session	Council Chambers	Live
March 22, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 29, 2011 (5 th Tuesday)		No Council Meeting		
April 5, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 12, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 19, 2011	TBD	Work Session	Council Chambers	Live
April 26, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 2, 2011	4-6 p.m.	Joint Council/FUSD Meeting	Council Chambers	Live
May 3, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 10, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 17, 2011	TBD	Work Session	Council Chambers	Live
May 24, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 31, 2011 (5 th Tuesday)		No Council Meeting		